

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

BRIAN SCOTT PATE,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO.
)	1:06cv500-MHT
)	
TERRANCE McDONNELL,)	
Warden, and TROY KING,)	
Attorney General of the)	
State of Alabama,)	
)	
Respondents.)	

ORDER

Because the United States Magistrate Judge's recommendation entered on June 23, 2006 (doc. no. 7), was vacated by order entered on July 5, 2006 (doc. no. 9), it is ORDERED that the petitioner's objections entered on June 29, 2006 (doc. no. 8), are overruled as moot.

It is further ORDERED that this cause is referred back to the magistrate judge for further appropriate proceedings.

DONE, this the 1st day of August, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE